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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/767,037	
	Filing Date	01/28/2004	
	First Named Inventor	Charles W. Finkel	
	Art Unit	1712	
	Examiner Name	Scott Kastler	
Total Number of Pages in This Submission	4	Attorney Docket Number	FINK1-162-CIP-DV2-US

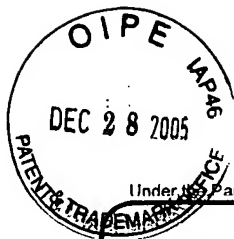
ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks See pp. 1 & 1A of S.N. 767,037 herewith Please treat this as a petition to re-twin \$60.00 fee	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	[Signature]	
Signature	James B. Staples	
Printed name	James B. Staples	
Date	Reg. No.	19,013
December 19, 2005		

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature: [Signature]		
Typed or printed name	JAMES B. STAPLES	Date: 12/19/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)60.00**Complete if Known**

Application Number	10/267,037
Filing Date	01/28/2004
First Named Inventor	Charles W. Finck
Examiner Name	Scott Kastner
Art Unit	1742
Attorney Docket No.	162-CIP-DW2-U.S

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☐ Deposit Account Deposit Account Number: _____ Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	
- 20 or HP =	x	=		Fee (\$)	Fee Paid (\$)

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	=	

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)	Fees Paid (\$)
	60.00
Other (e.g., late filing surcharge): <u>one month extension</u>	60.00

SUBMITTED BY

Signature <u>James G. Staples</u>	Registration No. (Attorney/Agent) <u>19013</u>	Telephone <u>(713) 975-2235</u>
Name (Print/Type) <u>JAMES G. STAPLES</u>	Date <u>12/19/05</u>	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicants:	Charles W. Finkl)	
)	
Serial No.:	10/767,037)	Attention:
)	
Filing Date:	January 28, 2004)	Examiner Scott Kastler
)	
Title:	Apparatus for Softening)	Art Unit 1742
	a Selected Portion of)	
	a Steel Object by Heating)	

**AMENDMENT
RESPONSIVE TO AUGUST 24, 2005 OFFICE ACTION
AND OCTOBER 12, 2005 INTERVIEW SUMMARY
(2ND TRANSMISSION)**

Comment concerning misdirected filing

4n
This amendment was originally transmitted on November 2, 2005 to Patent Office fax no. 1-571-273-8300.

There was a typographical error in that November 2, 2005 transmittal in that the correct serial number, which is 10/767,037 was written as

10/676,037

in the space to the right of "Serial No.:" which words appeared in bold face type on the front page which carried the title:

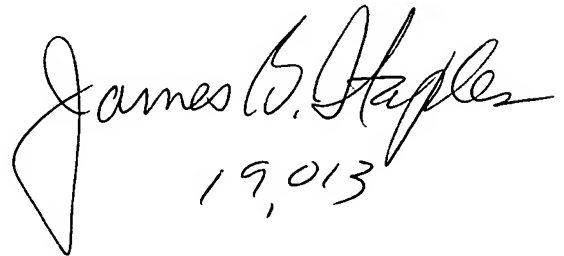
**"AMENDMENT
RESPONSIVE TO AUGUST 24, 2005 OFFICE ACTION
AND OCTOBER 12, 2005 INTERVIEW SUMMARY"**

Attention is called however to the fact that the correct serial number, 10/767,037, appeared in the upper left hand corner of said front page.

Said correct serial number also appeared in the upper left hand corner of each of the remaining 8 pages of said amendment (though not in the 4 page "Declaration ..." which was attached to said amendment).

To ensure that no issue of abandonment arises we are submitting herewith our check no. 7210 drawn on the Northern Trust Bank of Chicago for a one month extension.

In view of the fact that the correct serial number appeared on the first page and all remaining additional pages of the amendment faxed on November 2, 2005, it is respectfully requested that said check be returned to James G. Staples, A. Finkl & Sons Co., 2011 N. Southport Avenue, Chicago, IL 60614.


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